

JOURNAL OF THE SENATE [March 10, 1971]

STATE OF WISCONSIN

# Senate Journal

## Eightieth Session

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WEDNESDAY, March 10, 1971.

9:30 o'clock A.M.

The senate was called to order by the president of the senate.

The prayer was offered by the Reverend Edward E. Beatty of the First Congregational Church of Madison.

The roll was called and the following senators answered to their names:

Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppeler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Absent with leave—Senators Dorman and Krueger—2.

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### AMENDMENTS OFFERED

Senate amendment 1 to Senate Bill 59 by Senator Whittow.

Senate amendment 1 to Senate Bill 82 by Senator Whittow.

Senate substitute amendment 1 to Senate Bill 54 by Senators Devitt and Whittow, by request of Milwaukee County.

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**Senate amendment 1 to Assembly Bill 76 by Senator Murphy.**

**Senate amendment 1 to Assembly Bill 89 by Senator Cirilli, by request of the City of Milwaukee—Wisconsin Electric Power Co. and Wisconsin Gas Co.**

**Senate amendment 2 to Assembly Bill 89 by Senator Cirilli, by request of the City of Milwaukee.**

**Senate amendment 1 to Senate Bill 213 by Senator Heinzen.**

**Senate amendment 1 to Senate Bill 216 by Senator Heinzen.**

**Senate substitute amendment 1 to Senate Bill 32 by Senator Risser.**

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## **BILLS INTRODUCED**

**Read first time and referred:**

### **Senate Bill 260**

**Relating to changing the name of the County Board of Welfare in counties having a population of over 500,000.**

**By Senators Devitt and Whittow, by request of Milwaukee County.**

**To committee on Health and Social Services.**

### **Senate Bill 261**

**Relating to State aid for special programs for educationally handicapped students and making appropriations.**

**By Senators Peloquin, Thompson, McKenna, Heinzen and Chilsen; co-sponsored by Representatives Korpela, Oberle and Willkom.**

**To committee on Education.**

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**Senate Bill 262**

Relating to joint income tax adjustments for married couples.

By Senators Hollander, Roseleip, Peloquin, Lotto, Chilsen, Lorge, Knowles and McKenna.

To committee on Commerce, Labor, Taxation, Insurance and Banking.

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**MESSAGE FROM THE ASSEMBLY**

By Thomas P. Fox, chief clerk.

Mr. President:

I am directed to inform you that the assembly has concurred in:

Motion Under Joint Rule 26:

By request of Senator Soik, with unanimous consent, the chief clerk was asked to procure a fiscal note for Senate Bill 189.

By request of Senator Lorge, with unanimous consent, the chief clerk was asked to procure a fiscal note for Senate Bill 255.

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**CALENDAR OF FRIDAY, FEBRUARY 26**

**Senate Bill 120**

Relating to increasing criminal penalties for defrauding an innkeeper in an amount over \$100.

The bill was ordered to a third reading.

**Assembly Bill 5**

Relating to removal of minimum fines against the owners of unlicensed dogs.

Read a second time.

The bill was ordered to a third reading.

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By request of Senator Johnson, with unanimous consent, the bill was considered for final action at this time.

### **Assembly Bill 5**

Read a third time.

The bill was concurred in.

### **Senate Bill 30**

Relating to authorizing counties to provide county public defenders.

Read a second time.

Senate amendment 1 adopted.

Senate amendment 2 adopted.

The bill was ordered to a third reading.

By request of Senator Johnson, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 30**

Read a third time.

The ayes and noes were demanded and the vote was: ayes, 30; noes, 0; absent or not voting, 2; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Swan, Thompson and Whittow—30.

Noes—None.

Absent or not voting—Senators Dorman and Krueger—2.

So the bill passed.

### **Assembly Bill 26**

Relating to reaffirmation of a debt adjudicated in bankruptcy and requiring notice of reaffirmation before execution is levied.

Read a second time.

Senate amendment 1 adopted.

The bill was ordered to a third reading.

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By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

### **Assembly Bill 26**

Read a third time.

The bill was concurred in.

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## **CALENDAR OF TUESDAY, MARCH 2**

### **Senate Resolution 18**

Relating to urging acceptance of transfer credits at institutions of higher education.

Read.

Senator Whittow asked unanimous consent that Senate Joint Resolution 18 be re-referred to the committee on Education.

Senator Devitt objected.

Senator Whittow moved that Senate Joint Resolution 18 be laid on the table.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 24; absent or not voting, 2; as follows:

**Ayes**—Senators Frank, Kendziorski, Risser, Schuele, Soik and Whittow—6.

**Noes**—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Steinhilber, Swan and Thompson—24.

**Absent or not voting**—Senators Dorman and Krueger—2.

So the motion to table the resolution failed.

Senator Hollander in the chair.

10:40 A.M.

The question was: Adoption of Senate Joint Resolution 18?

The ayes and noes were demanded and the vote was: ayes, 25; noes, 5; absent or not voting, 2; as follows:

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**Ayes**—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Parys, Peloquin, Roseleip, Schuele, Steinhilber, Swan and Thompson—25.

**Noes**—Senators Frank, Kendzierski, Risser, Soik and Whittow—5.

**Absent or not voting**—Senators Dorman and Krueger—2.  
**So Senate Joint Resolution 18 was adopted.**

The president of the senate in the chair.

**10:45 A.M.**

By request of Senator Hollander, with unanimous consent, **Senate Bills 47, 68, 114, 144 and 157** were referred to joint committee on Finance.

Senator Keppler requested unanimous consent to have Mrs. Bonnie Metzgar and Mrs. Hazel Hesse, one a mother and one a wife of prisoners of war in Viet Nam address the state senate. Which request was granted and the two ladies addressed the senate on what concerned citizens can do for American prisoners of war in Southeast Asia.

By request of Senator Keppler, with unanimous consent, **Senate Bill 120** was considered for final action at this time.

### **Senate Bill 120**

Read a third time and passed.

### **Senate Bill 158**

Relating to the requirement for the acquisition of stock of state banks and trust companies.

Read a second time.

The bill was ordered to a third reading.

By request of Senator Keppler, with unanimous consent, the bill was considered for final action at this time.

### **Senate Bill 158**

Read a third time.

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The question was: Shall the bill pass?

The ayes and noes were demanded and the vote was: ayes, 27; noes, 2; absent or not voting, 3; as follows:

Ayes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Frank, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, McKenna, Martin, Murphy, Parys, Peloquin, Risser, Roseleip, Schuele, Soik, Steinhilber, Thompson and Whittow—27.

Noes—Senators Lourigan and Swan—2.

Absent or not voting—Senators Dorman, Krueger and Lotto—3.

So the bill passed.

### Senate Bill 177

Relating to authorizing vocational, technical and adult education schools to offer general education collegiate transfer programs in certain instances.

Read a second time.

The bill was ordered to a third reading.

By request of Senator Johnson, with unanimous consent, the bill was considered for final action at this time.

### Senate Bill 177

Senator Parys moved indefinite postponement.

The ayes and noes were demanded and the vote was: ayes, 6; noes, 24; absent or not voting, 2; as follows:

Ayes—Senators Frank, Parys, Risser, Soik, Steinhilber and Whittow—6.

Noes—Senators Bidwell, Busby, Chilsen, Cirilli, Devitt, Heinzen, Hollander, Johnson, Kendziorski, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, Lourigan, McKenna, Martin, Murphy, Peloquin, Roseleip, Schuele, Swan and Thompson—24.

Absent or not voting—Senators Dorman and Krueger—2.

So the motion failed.

President pro tempore in the chair.

11:00 A.M.

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Senator Whittow moved that the vote by which Senate Bill 177 was ordered to a third reading be reconsidered.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 17; absent or not voting, 2; as follows:

Ayes—Senators Chilsen, Frank, Kendziorski, Knowles, Lourigan, Martin, Parys, Risser, Schuele, Soik, Steinhilber, Thompson and Whittow—13.

Noes—Senators Bidwell, Busby, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knutson, LaFave, L o r g e, Lotto, McKenna, Murphy, Peloquin, Roseleip and Swan—17.

Absent or not voting—Senators Dorman and Krueger—2.

So the motion to reconsider failed.

### Senate Bill 177

By request of Senator McKenna, with unanimous consent, the vote by which Senate Bill 177 was ordered to a third reading was reconsidered.

Senate amendment 1 offered by Senator McKenna.

Senate amendment 1 adopted.

Senate amendment 2 offered by Senator Swan.

Senator Lorge moved rejection.

Senator Lourigan moved that the bill be re-referred to the committee on Education.

The ayes and noes were demanded and the vote was: ayes, 13; noes, 17; absent or not voting, 2; as follows:

Ayes—Senators Chilsen, Frank, Kendziorski, Knowles, Lourigan, Martin, Parys, Risser, Schuele, Soik, Steinhilber, Thompson and Whittow—13.

Noes—Senators Bidwell, Busby, Cirilli, Devitt, Heinzen, Hollander, Johnson, Keppler, Knutson, LaFave, L o r g e, Lotto, McKenna, Murphy, Peloquin, Roseleip and Swan—17.

Absent or not voting—Senators Dorman and Krueger—2.

So the motion to re-refer the bill to the committee on Education failed.

Senate amendment 2 rejected.

Senate amendment 3 offered by Senator Chilsen.

Senate amendment 3 adopted.

Senate amendment 4 offered by Senator Steinhilber.



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Senator Heinzen moved rejection.

Senate amendment 4 rejected.

Senator Whittow moved that the vote by which senate amendment 2 was rejected be reconsidered.

The ayes and noes were demanded and the vote was: ayes, 11; noes, 18; absent or not voting, 3; as follows:

Ayes—Senators Frank, Kendziorski, Lourigan, Martin, Parys, Risser, Schuele, Soik, Steinhilber, Swan and Whittow—11.

Noes—Senators Bidwell, Busby, Chilsen, Devitt, Heinzen, Hollander, Johnson, Keppler, Knowles, Knutson, LaFave, Lorge, Lotto, McKenna, Murphy, Peloquin, Roseleip and Thompson—18.

Absent or not voting—Senators Cirilli, Dorman and Krueger—3.

So the motion for reconsideration failed.

President of the senate in the chair.

11:45 A.M.

Senator Parys moved indefinite postponement of Senate Bill 177.

The ayes and noes were demanded and the vote was: ayes, 12; noes, 17; absent or not voting, 3; as follows:

Ayes—Senators Chilsen, Frank, Kendziorski, Knowles, Lourigan, Martin, Parys, Risser, Schuele, Soik, Steinhilber and Whittow—12.

Noes—Senators Bidwell, Busby, Devitt, Heinzen, Hollander, Johnson, Keppler, Knutson, LaFave, Lorge, Lotto, McKenna, Murphy, Peloquin, Roseleip, Swan and Thompson—17.

Absent or not voting—Senators Cirilli, Dorman and Krueger—3.

So the motion for indefinite postponement failed.

By request of Senator Chilsen, with unanimous consent, Senator Cirilli was granted a leave of absence for the balance of today's session.

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By request of Senator Keppler, with unanimous consent, the senate returned to the ninth order of business.

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### MOTIONS UNDER JOINT RULE 26

The State of Wisconsin \* \* \* Citation by the Legislature  
Know you by these presents:

Whereas, on March 2, 1971, Patrick E. Haverty of Oshkosh, was honored as Wisconsin's Handicapped Person of 1971 by the governor's committee on the Employment of the Handicapped; and

Whereas, Mr. Haverty's accomplishments set an example for all citizens in making his way in the world with courage and determination in the face of adversity; now, therefore,

The members of the Wisconsin Senate, on the motion of Senator Steinhilber, congratulate Patrick E. Haverty on his receipt of this award.

The State of Wisconsin \* \* \* Citation by the Legislature  
Know you by these presents:

Whereas Superior Senior High School Hockey Team became the first official state champion in high school hockey on March 6, 1971, having won the title the past two years when the event was an invitational tournament; now, therefore,

The members of the Wisconsin Legislature, on the motion of Senator Cirilli; co-sponsored by Representative Stack, under Joint Rule 26, extend to Coach Harker and all the members of the hockey team their sincere congratulations on a well-earned victory, and for being the first team in the state to win this title.

The foregoing resolutions under Joint Rule 26 were read and adopted en masse.

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By request of Senator Keppler, with unanimous consent, all actions of the senate were ordered immediately messaged.

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Upon motion of Senator Keppler, the senate adjourned until 9:30 A.M. March 11.

12:25 P.M.

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### INTRODUCTION OF GUESTS

Senator Risser introduced 16 ladies who will be enrolled in a federally sponsored M.D.T.A. clerk-typist course at the Madison Area Tech-College, sponsored by W.S.E.S. Youth Opportunity Center, with their counselor Shirly Menigo, Madison, Wis.

Senator Bidwell introduced Mrs. Priske, Mrs. Waugh, Mrs. Squire, Mrs. Knuteson, Mrs. Shaw, Mrs. Anderson and teacher, Mrs. Loff, Poynette, Wisconsin.

Senator Risser introduced Mr. and Mrs. Thor Wallem Iversen, Stavanger, Norway.

Senator Risser introduced: Mrs. Bonnie Metzger, of Wisconsin Rapids, wife of a North Vietnam prisoner of war, and Mrs. Hazel Hess, of La Crosse, mother of a prisoner of war and 20 family members of P.O.W.'s. Both ladies addressed the senate. They were accompanied to the rostrum by Representative Schroeder.

Senator McKenna introduced Wayne Kreklow and 43 students from Dodge County Teachers College, Mayville, Wisconsin.

The president of the senate introduced Attorney Robert Von Bereghy.

Senator Devitt introduced all visiting children of Greendale Intermediate School and Mrs. Greiger, Mrs. Evans and Mr. Kresse.

The president of the senate introduced former Lieutenant Governor Jack Olson.